

REMARKS

In the Office Action, made final, the Examiner rejected claims 1-7, 10, 11, 13, and 15-19 under 35 U.S.C. 102 as being anticipated, claims 7-9 and 19-20 under 35 U.S.C. 103 as being obvious, and claim 12 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description. Claims 1-20 remain under examination.

Claim 12 has been amended in a manner consistent with the amendment that was suggested by the Examiner. Also some of the claims have been amended to delete a double "the."

The Examiner's rejection for anticipation was based on Hashim which teaches sputter etching to expose a metal surface that inherently deposits material onto a sidewall. Applicants request entry of the amendments herein to the independent claims to clarify how applicants' invention distinguishes from Hashim. Hashim actually exposes the metal surface rather than depositing on it. Applicants deposit on the surface that inherently becomes exposed.

Accordingly, applicants submit that the claims are patentably distinct from Hashim. The dependent claims should be evaluated differently in light of the amendments requested for the independent claims. Further, applicants cannot agree the rejection for obviousness, based additionally on Avanzino, is proper because the combination of Hashim and Avanzino does not make obvious a method that achieves applicants' described objectives.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants believe the application is in condition for allowance which action is respectfully solicited. Please contact the below-signed if there are any issues regarding this communication or otherwise concerning the current application.

Respectfully submitted,

SEND CORRESPONDENCE TO:

Freescale Semiconductor, Inc.
Law Department

Customer Number: 23125

By: James L. Clingan, Jr.

James L. Clingan, Jr.

Attorney of Record

Reg. No.: 30,163

Telephone:

Fax No.: (512) 996-6854